

POETRY.

For the Liberator.
POPULAR RELIGION.
BY GEO. W. PUTNAM.

We have had a week of sin and fraud,
Let us be good o' Sundays;
To-day we bow before the Lord,
We should be good o' Sundays;
Down to prayer the children call,
Let the servants stand in the hall,
Let a sanctified gloom surround us all,
Mind, be good o' Sundays!

With lengthened visage the farce begins,
Mind, be good o' Sundays!
Lord, forgive us all our sins,
And make us good o' Sundays;
Conscience pricks hard by Saturday night;
Let us think to-day of the shroud so white,
Talk of death till we each other fright;
Good exercise this o' Sundays.

Ding dong, ding dong,
Mind, be good o' Sundays!
The church-bell sends its summons along,
Saying, 'Mind, be good o' Sundays!'
Clad in satin and rich brocade,
Garments the best that Fashion e'er made,
Proudly the throng go through sunlight and shade,
To the gorgeous church o' Sundays.

Proudly the turrets rise to the sky—
Mind, be good o' Sundays!
Through rows of columns, and arches high—
Mind, be good o' Sundays!
Sweeps on the perfume and jewelled throng,
'Mid the organ's crash and the hallelujah song,
To the velvet couches which stretch along,
Mind, be good o' Sundays!

If the poor should pass o'er the threshold stone,
Mind, be good o' Sundays!
(Why don't the poor have a church of their own,
And not trouble us o' Sundays?)
But if they should come, or a man whose hue
Is darker than ours,—man is man, it is true,—
There's Poverty Corner, and Negro Pew—
Mind, be good o' Sundays!

With liveried lackeys, and horses fleet,
Mind, be good o' Sundays!
The carriage of Dives rolls down the street,
For Dives is good o' Sundays;
Make way! at the church's door make way!
For Wealth is coming at prayer to play,
And Dives will patronize Heaven to-day!
Mind, be good o' Sundays!

The simpering priest walks nice and prim—
Mind, be good o' Sundays!
To the desk where the shaded light falls dim—
Mind, be good o' Sundays!
Who so sleek and polished as hee?
Who can so daintily tend the knee?
How much like the fishers of Galilee!
Mind, be good o' Sundays!

To 'save the Union,' the priest so brave—
Mind, be good o' Sundays!
Would 'consent that his brother should be a slave!
Mind, be good o' Sundays!
Or he takes of the devil a 'South Side View,'
Sees him all honest, pious and true,
Sitting demurely in his pew,
Praying and singing o' Sundays!

Hark! the organ's peal and the choral song—
Mind, be good o' Sundays!
Now he leads in prayer a long-faced throng—
Mind, be good o' Sundays!
Now Pride, in Humility's garb, was seen,
Making even the outside white and clean;
They think they're cheating the Lord, I ween!
Mind, be good o' Sundays!

Look, now! the feast of the Lord is spread—
Mind, be good o' Sundays!
But the bread is soiled, and the wine is red!
Mind, be good o' Sundays!
And, lifting up his hands in prayer,
What doth the liar know or care,
Through the blood of the slave doth gladden there!
Mind, be good o' Sundays!

Ay, what does he care?—he gets his pay!
Mind, be good o' Sundays!
And fareth sumptuously every day—
Mind, be good o' Sundays!
Twisting ever Sin's triple cord,
Clutching ever the bloody reward,
He tells how 'Julias sold his Lord,
And never was good o' Sundays!

And the legal swindler and bloated sot—
Mind, be good o' Sundays!
See ancient sinners upon the trot—
Mind, be good o' Sundays!
And he preaches—while they old crimes abhor—
The right to enslave, and the glory of war!
Because this is what they pay him for!
Mind, be good o' Sundays!

Many men of straw he makes and shows—
Mind, be good o' Sundays!
And knocks them down with terrible blows,
For this is his trade o' Sundays;
He talks of the 'distant heathen race,'
But turns to the slave an iron face,
And his hearers below grow mighty in grace,
While thus he discourses o' Sundays.

They admire all that is 'gentle' in truth—
Mind, be good o' Sundays!
Tender-hearted are they, and pious, forsooth—
Mind, be good o' Sundays!
They have here a box for the 'mission cause,'
And the Sunday School, with its chest of drawers,
Crammed full of books on the 'Lower Laws,'
And being good o' Sundays!

But the penance is done, and the task is o'er—
Mind, be good o' Sundays!
The gorgeous church wide opens its door—
Mind, be good o' Sundays!
And, with smiling looks, walks forth the priest,
And an elegant throng, with their consciences eased,
They have squared the books for a week at least—
Mind, be good o' Sundays!

Do ye think a dark world which ever weeps,
Has its wounds healed by your Sundays?
Do ye think that the Eye which never sleeps,
Watches ye not o' Sundays?
God's light shall pierce the hypocrite's den!
For your step is now, and hath ever been,
Over the beating hearts of men,
To your mocking rites o' Sundays!

Ye send your thoughts to the isles of the sea,
Where 'the heathen have no Sundays,'
Where low to the idol they bend the knee,
And dance and sing o' Sundays.
While chained at your door lie beings sublime,
And the streets of your cities reek with crime,
And ye walk to the knees in the moral slime,
And heed it not o' Sundays!

But ye 'wash your hands of this,' ye say—
Mind, be good o' Sundays!
Like the priest and Levite ye keep on your way;
With your eye on the 'holy Sundays,'
Yet have nothing to do when they treat the broad lands,
With the red-crested hawk and the woodland's bands;
Even so Christ's blood Pilate washed his hands—
Mind, be good o' Sundays!

Ye forget how the blessed Jesus went round,
Drove o'er o' Sundays;
How he broke the bands of the bruised and bound,
And scattered his light o' Sundays!

How he healed the sick, and fed the poor,
And spake so kind to the weary and sore,
And burst the imprisoned spirits door!
And all His days were Sundays.

THE LIBERATOR.

COMMONWEALTH OF MASSACHUSETTS.

HOUSE OF REPRESENTATIVES, March 17, 1855.

The Committee on Education, to whom was referred the Order of the 7th of February, instructing them to 'inquire into the expediency of additional legislation in regard to the powers of School Committees in determining the number and qualifications of scholars to be admitted into Public or District Schools;' and also the Petitions of

William C. Nell and 311 others, of Boston; Lewis Hayden and 87 others, of Boston; Wesley Berry and 84 others, of Nantucket; James P. Boyce and 172 others, of Lynn; Jacob Leonard and 92 others, of East Bridgewater; Andrew Davidson and 84 others, of Lexington; Lyman Coolidge and 168 others, of Bolton; Samuel Brainerd and 331 others, of Haverhill; Joel Smith and 87 others, of Leominster; John B. Bailey and 54 others, of Charlestown; and Stephen C. Phillips and 114 others, of Salem, asking the Legislature 'to provide, by due legislation, some efficient means to prevent the colored children of Boston from being deprived of the equal privileges of the common schools of that city,' having carefully considered the whole subject suggested by the Order and the Petitions, respectfully

REPORT:

Your Committee have unable to find, from an examination of the Constitution, statutes, or regulations pertaining to schools, any specific authority on the part of superintendents or Committee men to exclude, by reason of color, race, or religious opinions, any portion of the children of the State from the benefits of common school education. The question, therefore, arises, whether any discrimination, from these causes, can be made under the Constitution and laws of Massachusetts among the children entitled to these benefits.

So far as race and religious opinions are concerned, your Committee cannot learn that any practical difficulty has been experienced by any portion of the people by the exclusion of their offspring from the public schools on these accounts. That at times, and in particular localities, there may have been a desire on the part of parents to withdraw their children from the association of those of foreign birth, and that, to a less degree, considerations of a theological character may have prompted the same thing, your Committee do not deny. But they reject to believe that, generally speaking, the people of the State have appreciated the true intent of our inestimable school system, and been willing to have educated under its beneficent influences children of every race and every form of religious belief. And in this, your Committee are glad to think that the school Committees have mainly concurred.

But in regard to the color of the children, when applicants for the benefits of our common school education, the history of instruction in our State has not been so satisfactory as your Committee could desire. They have rejoiced, however, to see, one by one, the prejudices which would debar the child of colored parentage from equal school privileges gradually diminish, town after town abolish its separate schools, and the recognition almost universally accepted of the brotherhood of the human race and the fatherhood of the Creator. Under a more just sense of what is due to every child in the State, all the cities and towns, save one, admit freely to their schools, without restriction, discrimination or preference, children of whatever origin, religious inclination, color, or social condition. That one exception is the city of Boston.

In an able and eloquent argument, (Dec. 4, 1849,) in the case of Sarah C. Roberts vs. the city of Boston, for equal school privileges, before the Supreme Judicial Court, Hon. Charles Sumner laid down the points, in discussing the constitutionality of separate colored schools, that, according to the Constitution of Massachusetts, all men, without distinction of color or race, are equal before the law; that the Legislature of Massachusetts, in entire harmony with the Constitution, had made no discrimination of color or race in the establishment of public schools; that the courts of Massachusetts had never recognized any discrimination, founded on color or race, in the administration of the public schools, but had recognized the equal rights of all the inhabitants; that the exclusion of colored children from the public schools open to white children was a source of practical inconvenience to them and their parents, to which white persons were not exposed, and was, therefore, a violation of equality; that the separation of children in the public schools of Boston, on account of color or race, was in the nature of caste; that the Committee of Boston, charged with the superintendence of the public schools, had no power under the Constitution and laws of Massachusetts to make any discrimination on account of color or race among the children in the public schools; and he asked the court to declare the by-law of the School Committee of Boston, making a discrimination of color among children of the public schools, unconstitutional and illegal, although there were no express words of prohibition in the Constitution and laws.

To these points and request, urged with that eloquence and erudition for which the public efforts of the distinguished advocate have given him so enduring celebrity, Chief Justice Shaw, in an elaborate opinion, delivered at the March term of 1850, made response for all the court, that the General School Committee had power, under the Constitution and laws, to make provision for the instruction of colored children in separate schools, and to prohibit their attendance upon the other schools. In this opinion the court say:—

'Conceding in the fullest manner that colored persons, the descendants of Africans, are entitled by law, in this Commonwealth, to equal rights, constitutional and political, civil and social, the question then arises, whether the regulation in question, which provides separate schools for colored children, is a violation of any of these rights.'

The court, to answer this question, resort to the law; and looking at the Revised Statutes, chap. 23, sec. 10, they find that a school committee is to have 'the general charge and superintendence of all the public schools;' but, there being no specific direction how schools shall be organized, how many schools shall be kept, what shall be the qualifications for admission, &c., &c., they say the court, 'must all be regulated by the committee, under their power of general superintendence;' which power, they contend, vests a plenary authority 'to arrange, classify and distribute pupils in such a manner as they think best adapted to their general proficiency and welfare.' And reference is made by the court to the facts that School Committees provide for very young children, for schools for children from seven to ten years of age, &c., for the separation of male and female pupils into different schools, the establishment of special schools for poor and neglected children, &c., &c., to show the power exercised under this provision of the statutes, into that category naturally, if not logically, passes the authority to establish separate schools for colored children. 'A somewhat more specific rule, perhaps, on these subjects, might be beneficially provided by the legislature,' remark the court. It is such a rule that your Committee now desire to have established, because, as they say still further, 'in the absence of special legislation on this subject, the law has vested the power in the committee to regulate the system of distribution and classification.' Upon the simple fact of this undefined general authority given to committees, is, therefore, predicated the opinion that the separate schools are proper, and also the practice of exclusion following therefrom.

While the Committee fully recognize the weight and influence of this opinion of the Supreme Court on the

question, they would invite attention to the following declaration of Hon. Richard Fletcher, some years since, in reply to a request for his opinion on the subject by the Hon. Stephen C. Phillips, of Salem, (whose name heads one of the petitions upon which we act,) then mayor of that city:—

'Neither the Constitution nor laws of this Commonwealth make any distinction between a colored person and a white person. A colored man is a free citizen, with the same rights, privileges and duties, as any other man, so far as the Constitution and laws of this Commonwealth are involved. He pays his share of the expenses, and is entitled to act and vote as any other citizen. The children of colored parents are, therefore, entitled to the benefit of the free schools, provided exclusively for colored children, in equally advantageous to them. I think it would be easy to show that this is not the case. But suppose it were so, it would in no way affect the decision of the question. The colored children are lawfully entitled to the benefit of the free schools, and are not bound to accept an equivalent. Except in the case of taking property for public use, no man can be compelled to relinquish what belongs to him for his own benefit. Every one must have his own, unless he consents to relinquish it. My opinion is, therefore, that the school committee have no lawful power to exclude the colored children from the public free schools. It may be proper for me to add, that it seems to me extremely doubtful, to say the least, whether the majority of the city can be lawfully appropriated to the support of a distinct and separate school for colored children.'

Your Committee were informed that Hon. Charles H. Warren, formerly of the Common Pleas Bench, has concurred in the views expressed as above by Judge Fletcher; while Hon. Charles T. Russell, when a member of the Boston School Committee, presented a report favorable to the abolition of the colored schools; and Hon. George S. Hillard, the present City Solicitor of Boston, in a recent suit growing out of the 'jection of a colored child from a city school, volunteered the expression of his belief that the rule of exclusion was an unjust one, as well as of questionable legality.

But granting, for the sake of the argument, that there is justification in law for a separate system of instruction, then it would seem, evidently, that a different system of laws and government, in the same proportion, would be justifiable and proper, since a large share of government is but a continuation of public instruction, telling the subject or citizen what to do, and what to avoid, under penalties. To use the language of another, 'The races which are so distinct as to require different training in the schools cannot surely form a homogeneous basis for civil institutions, or allow of the same penal arrangements. England, accordingly, has one code for India, and another for Kent. Our laws, on the contrary, negative all such distinctions; they practically assert that before the law, and in regard to such institutions as the law establishes, the differences of race, creed, complexion, and caste, melt away. The law does not undertake to establish anything in which all may not partake. As members of a legal body, a School Committee, they should have eyes only for such distinctions among their fellow-citizens as the law recognizes and points out. For the difference of age and sex, for regulations of health, &c., they find precedents; in acting upon these, they stand within the margin of that discretion which the law allows. But when they open their eyes to varied complexion, to difference of race, to diversity of creed, to distinctions of caste, they will seek in vain through all our laws and institutions for any recognition of the spirit in which they act. They are attempting to fasten into the legal arrangements of the land a principle utterly repugnant to our Constitution. What the sovereignty of the Constitution does not attempt, the discretion of a school committee accomplishes!'

Your Committee have said that the city of Boston has now alone the unevenness of distinction of maintaining separate restrictive schools for colored children. Yet, from the very records of the School Committee of Boston, it appears that this is done in violation of all rules and regulations, as will appear from the following certificates from the Secretary of the late Primary School Committee, Charles Demond, Esq., and from the Secretary of the Grammar School Committee, Barnard Capen, Esq.:—

Boston, May 5, 1854.

I have examined the records of the Primary School Committee, and find no note forbidding the admission of the colored children into any primary school.

CHARLES DEMOND, Secretary.

I have examined carefully the records of the School Committee, from 1792 to the present time, and do not find on said records any rule, resolution or order, excluding colored children from the grammar schools. In the year 1852, however, a colored citizen of East Boston petitioned to be allowed to send his children to the Chapman School, arguing as a prominent reason the expense of the ferry. The Board did not grant this petition, but procured a free pass for the children at the ferry.

BARNARD CAPEN, Secretary.

Notwithstanding these certificates, however, it was fully demonstrated to your Committee that colored children, of age suitable and qualification unquestioned for admission to the Grammar Schools, were excluded from each and all of the schools except one, called the 'Smith School,' which is situated in a neighborhood where resides a large proportion of the colored inhabitants, and is of difficult, if not impracticable, access to those children who reside at a distance from its locality.

The City Council of Boston, having had its attention the past year once again called to this unauthorized exclusion through the efforts of a gentleman then connected with the upper branch of the government, (now a member of the House of Representatives,) it imparted by express 'order' to the School Committee its wish that the subject might receive an 'early and candid consideration.'

The majority of the sub-committee of the School Committee to whom this 'order' was referred, (Messrs. Henry A. Drake and James N. Sykes,) reported, Aug. 15, 1854, as follows:—

'It appears that there is no regulation of this Board which compels the attendance of colored children upon the Smith School, or excludes them from the other public schools; and it is also found to be the practice of many of the sub-committees to allow colored children to attend the schools nearest to their places of residence, when the Smith School is inconveniently distant. This practice your committee judge to be perfectly satisfactory, as it removes the great objection, which is urged with much force, that it is unreasonable to compel the attendance of those colored children upon the Smith School, who reside in the extreme parts of the city.'

The minority of the sub-committee, (Luther Parks, Jr., however,) took this view of the matter:—

'As I read the certificates of the Secretaries of the Primary School Committee and of the Grammar School Committee, any colored child may enter any and all schools which any white child living in the same district is permitted to enter, no matter what be his proximity to the Smith School. Moreover, as to the general expediency of separating the colored children from the white in the public schools, all arguments in favor of such separation would, to my mind, apply with less force than in the case of a large class of children of foreign parentage.'

The majority of this sub-committee having reported that 'no further action' was necessary on the subject, the matter has there since rested, and Boston continues its separate schools in defiance of law and regulation, unless the following, the first of the rules applying to public schools, may be put in as sufficiently authoritative:—

'Every teacher shall admit to her school all applicants of suitable age and qualifications residing nearest to the school under her charge, (excepting those for whom special provision has been made,) provided the colored children appeared quite as well during the examination as the white children. Moreover, as to the general expediency of separating the colored children from the white in the public schools, all arguments in favor of such separation would, to my mind, apply with less force than in the case of a large class of children of foreign parentage.'

That serious inconvenience is experienced by the colored community of Boston from this practice of the School Committee, your Committee were abundantly satisfied. A case of this kind, and which is probably the one alluded to in the note of Mr. Capen, the Secretary of the Grammar School Board, above given, was that of the children of a Mr. Russell, living in East Boston, who were compelled to cross the ferry to reach the Smith School in Belknap street, on the western side of Beacon Hill. Another is that of the children of a Mr. Brown, living in Commercial street, who, to attend the Smith School, had to pass the doors of several schools where other children who lived near them, being white, had the privilege of attending; succeeding, after much trouble, in getting his children into one of the nearer schools, a few weeks only elapsed before Mr. Brown was informed that they could no longer attend the school; and they were thereupon ejected. Another is that of the children of Mr. St. Pierre, residing near the Roxbury line, who, becoming qualified for admission to a grammar school, were refused by the teacher.

Sooner has become this state of things, your Committee were assured many colored tax-payers have, within the past few immediate preceding years, removed from Boston to the neighboring towns and cities of Cambridge, Charlestown, Roxbury, Chelsea, Salem, and elsewhere, where equal school rights are practically as well as theoretically acknowledged, their children associating pleasantly and cordially with those of the more favored residents of those places. Even if the separate system does not force the colored parent to leave the city, it compels him, in good part, either to live in one section of the city, much perhaps against his convenience or pleasure, or deprive his children of that which is of far more value to the depressed colored man than personal convenience or happiness—their mental and moral training. If colored schools are not necessary in Cambridge and Chelsea, why should they be in Boston? Surely, the intervening stream that separates those towns need not be the cause of so invidious a distinction in the social relations of the people that live upon its borders. But, independent of these considerations, an objection to these schools arises from their inferior character—necessarily so, your Committee think, from the removal of any stimulus to ambition or mental prowess on the part of the children. Say Messrs. Winkley and Palmer, the Committee of examination of the Smith School in 1849, after alluding to the inferior condition of the school:—

'We have no hesitation in saying that as it is, and has been, the Smith School is an embarrassment to the finances of the city and upon the patience of the School Committee, and that there is no one of our public institutions that more needs reform.'

Says the quarterly report of the Grammar School Board, November, 1855:—

'The Smith School is in bad condition—both little progress. Slim attendance and bad discipline are its characteristics. There are 80 scholars belonging to the school, and only 34 attended the examination.'

From this unpleasant picture, suggestive of so many saddening thoughts, your Committee turn with pleasure to the condition of things there, with a comparatively larger colored population, no separate schools are known.

We do not mean to have been induced to countenance this distinction, and decide for its continuance, from the fear that the admission of colored children into schools with white children would cause a popular ferment that would seriously impair the condition of the schools. Your Committee believe this fear to be unfounded. The admission of colored children indiscriminately with white children prevails in the schools of Salem, Lowell, Worcester, New Bedford and Nantucket, in several of which places the general feeling respecting colored people is doubtless similar to what it is in Boston. In New Bedford and Lowell, no distinction has ever been made with reference to color; while in Salem, Worcester and Nantucket, the separate schools have comparatively recently been abolished. What has been done in these places, most of which have, we believe, a larger proportional colored population than Boston, we think may afford some evidence that similar results may reasonably be expected to follow a like cause here.

In a letter from Nantucket, dated July 4, 1846, Hon. John H. Shaw testifies:—

'I have found leisure to visit all the public schools in town, and with entire confidence can now state that the admission of colored children has in no way injured them. I have been on the School Committee seventeen years, with two intermissions of two years, one of them the last two years, and at no time have I found the schools, as a whole, in better condition. Early in February last, the present committee took charge of the schools, and decided to admit the colored children; there were then 27 of them attending the colored school; there are now 50 in the various public schools—well behaved, orderly children. Not a single complaint has been made to the committee since that time by any teacher respecting any one of them. On the first of February there were in all the public schools in town 1,281 scholars; on the first day of July there were 1,310, showing an increase of 29; and this increase has all been in the south and west districts, where the colored children are; while in the north district, where there are but two colored children, although there are four schools with 397 scholars, yet here we find less than three hundred scholars; on the first day of July there were 1,310, showing an increase of 29; and this increase has all been in the south and west districts, where the colored children are; while in the north district, where there are but two colored children, although there are four schools with 397 scholars, yet here we find less than three hundred scholars; on the first day of July there were 1,310, showing an increase of 29; and this increase has all been in the south and west districts, where the colored children are; while in the north district, where there are but two colored children, although there are four schools with 397 scholars, yet here we find less than three hundred scholars; 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